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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/809,150	03/14/2001	Salil Vjaykumar Pradhan	10005619-1	5410

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EXAMINER

BARTUSKA, FRANCIS JOHN

ART UNIT

PAPER NUMBER

3627

DATE MAILED: 04/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/809,150	PRADHAN ET AL.
	Examiner	Art Unit
	F. J. BARTUSKA	3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 25 February 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-27 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____.
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 3, 6, 11, 12, 13, 16 and 21-27 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Mital. Mital discloses a system and apparatus for monitoring secure information in a computer network including receiving an order request at an electronic commerce service 104, see col. 8, lines 24 and 25, sending the order request to a merchant computer 108, see col. 8, lines 30-32, receiving the order request at the merchant computer, see col. 8, lines 33 and 34, transforming the order request into protocol and format suitable for the customer computer, see col. 10, lines 36-47 and sending order receipt information back to the customer computer, see col. 8, line 66 to col. 9, line 4.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 4, 5, 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mital in view of Scholl et al. Mital discloses all the features of the applicants' claimed invention except transforming

the information into HTTP and HTML format and protocol. Scholl et al teach in col. 2 line 41 to col. 3, line 40 that it is well known to use gateways that transform information to and from HTTP and HTML format and protocol to and from other formats and protocols when accessing resources and information outside the Internet. It would have been obvious to one of ordinary skill in the art in view of the showing and teaching of Scholl et al to provide the system of Mital with gateways that transform information to and from HTTP and HTML format and protocol in order to access information both inside and outside the Internet.

6. Claims 7-10 and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Breen et al in view of Scholl et al. Breen et al disclose systems and methods for conducting anonymous electronic commerce between buyers 18 and sellers 19 using an intermediary 12. Figures 14A-14D show web pages that include a shopping cart 1120 that allows a shopper to add and remove items. Figure 12A discloses a remain anonymous button 1030j that prevents buyer information from reaching the sellers. Breen et al does not disclose gateways that

transform information into other formats and protocols. Scholl et al teach in col. 2 line 41 to col. 3, line 40 that it is well known to use gateways that transform information to and from HTTP and HTML format and protocol to and from other formats and protocols when accessing resources and information outside the Internet. It would have been obvious to one of ordinary skill in the art in view of the showing and teaching of Scholl et al to provide the system of Breen et al with gateways that transform information to and from HTTP and HTML format and protocol in order to access information both inside and outside the Internet.

Response to Arguments

7. The applicants' remarks that Mital does not disclose receiving a request for a web page from the client and sending the request to a merchant web site have been considered but have not been found persuasive because Mital discloses in col. 10, lines 57-67 that the external network 218 includes the Internet. The Internet encompasses transmission of URLs to web sites to retrieve web pages.

8. The applicants' remarks that Mital does not disclose transforming the requested information into the protocol and display format of the client device have been considered but have not been found persuasive because gateways 206 and 216 of Mital translate messages between wide area networks, local area networks and the external networks into the appropriate protocol and format to establish connections, see col. 10, lines 36-67 of Mital.

9. The applicants argue that there is no motivation to combine Mital and Breen et al with Scholl et al. Scholl et al provide the motivation to combine the references by disclosing that gateways transform information to and from HTTP and HTML format and protocol when accessing resources and information outside the Internet.

Conclusion

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the

event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to F. J. BARTUSKA whose telephone number is 703-308-1111. The examiner can normally be reached on MONDAY-FRIDAY (ALTERNATE FRIDAYS OFF).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ROBERT P. OLSZEWSKI can be reached on 703-308-5183. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

fjb



F. J. BARTUSKA
PRIMARY EXAMINER
4/7/04